

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
DOCKET NO. 1:14-cv-00125-MOC-DLH

**GARY COSBY; LISA WORRILLS; AND  
CARLA MATTHEWS, individually and on behalf  
of others similarly situated,**

Plaintiff,

Vs.

**CONVERGYS CUSTOMER MANAGEMENT  
GROUP INC.; AND CONVERGYS  
CORPORATION,**

Defendants.

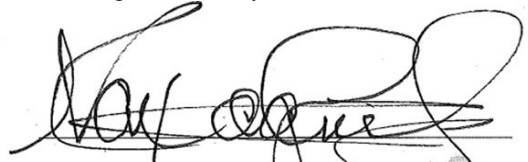
ORDER

**THIS MATTER** is before the court on plaintiffs' Motion for Conditional Class Certification and Court-Supervised Notice to Potential Opt-In Plaintiffs Pursuant to 29 U.S.C. § 216(b). Plaintiffs have filed such motion prior to certifying that defendants have been served. As reflected in the court's docket, by filing such motion, a deadline has been set for defendants to respond, which in turn sets in place a deadline for the court to decide the motion under the CJRA. See Docket Entry #9 ("Responses due by 6/9/2014"); L.Cv.R. 7.1. The court will assume that defendants, once served, will likely oppose such motion, as most defendants do in FLSA wage, hour, and overtime cases. Thus, the motion is premature and will be denied at this time without prejudice.

**ORDER**

**IT IS, THEREFORE, ORDERED** that plaintiffs' Motion for Conditional Class Certification and Court-Supervised Notice to Potential Opt-In Plaintiffs Pursuant to 29 U.S.C. § 216(b) (#7) is DENIED without prejudice as premature.

Signed: May 23, 2014

  
Max O. Cogburn Jr.  
United States District Judge